

REMARKS

Claims 9-28 are pending in the application. By this paper, it is proposed to amend claim 9 in order to place the application into condition for allowance or to narrow the issues for appeal. Reconsideration and allowance of claims 9-28 is respectfully requested.

Prior Art Rejections

Claims 9, 11, 12, 14-19, 23, 24, 26 stand finally rejected under 35 U.S.C. § 102(b) as being anticipated by Legoues. Further, claims 10 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Legoues in view of US patent number 5,569,538 to Cho ("Cho"). Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Legoues in view of US patent number 6,475,857 to Kim, et al. ("Kim"). Claims 21, 25, 27 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Legoues.

It is proposed to amend claim 9 to further distinguish the invention defined by this claim over the cited references. No new matter is added by these amendments which find support throughout the specification, such as at page 7, lines 6-14 (final atom layer) and on page 8, lines 6-12 (lattice matching).

Claim 9 is amended to clarify that, according to the presently claimed invention, specific lattice constants are used for the different layers forming the semiconductor component in order to generate, **transmit** and absorb the stress. In particular, it should be noted that, according to the invention of amended claim 9, a final atom layer of the stress generator layer has a **second** lattice constant of the carrier layer while the third lattice constant is matched to the **first** lattice constant of the carrier material.

In clear contrast, Legoues discloses a layer structure wherein the **second** lattice constant of the final atom layer of the SiGe layer (the stress generator layer) has a lattice **match** which close approximates the lattice of CaF₂ i.e., the **third** lattice constant of the stress transmission layer (see column 15, lines 15-18). For Legoues, this results in a completely relaxed structure but may not transmit any stress as claimed in amended claim 9.

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Accordingly, amended claim 9 recites features missing from Legoues, so this reference can not anticipate the invention of claim 9. Independent claims 22 and 26 include similar features and are submitted to be allowable for the same reason. Withdrawal of the rejection of claims 9-28 is respectfully requested.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,

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